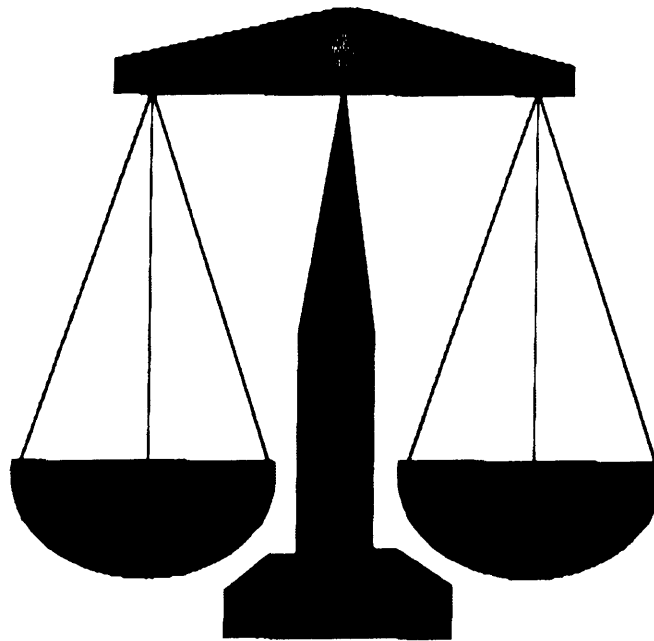


**State of Missouri
33rd Circuit Court
Juvenile Drug Court Program**



Participant Handbook

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MISSION STATEMENT

TO DECREASE DRUG USE AND ITS RELATED CRIMINAL ACTIVITY AS IT AFFECTS THE INDIVIDUAL, FAMILY AND COMMUNITY, BY COORDINATING AND USING EXISTING AND TARGETED RESOURCES THAT ARE ACCEPTABLE TO THE REASONABLE EXPECTATIONS AND STANDARDS WITHIN THE COMMUNITY.

DESCRIPTION OF THE DRUG COURT PROGRAM

Drug Courts are treatment-based alternatives to prison, youth-based services facilities and detention centers, jails, and standard probation models. The juvenile justice system works cooperatively with treatment and other service systems to provide an offender with all of the possible tools needed to get into recovery, stay in recovery and lead a productive, crime-free life. Drug Court is a concept that can be used in a variety of case types and molded to fit the needs and acceptability of each community.

The most important aspect of drug courts is the changing focus of crime. Instead of looking at only punishing the offender, the system has taken action to help the person change his or her life in order to stop delinquent activity.

The key components of any drug court model include:

- **Immediate Intervention** – The sooner a person is placed in treatment following a crisis, the more successful the outcome. In drug courts, a person moves from an arrest or other court action to drug court and treatment in less than two weeks. More common adjudication processes may take months.
- **Voluntary Entries into Program** – Most of the operational drug courts are voluntary programs. Participants who decide to enter and voluntarily commit to a program are more likely to succeed.
- **Graduated Sanctions and Rewards** – Offender accountability is an important piece to recovery and continued success. It is important to note that offender accountability is only possible if the system is also accountable.
- **Program Phases for Short-Term Goals** – Drug Court programs are divided into phases in order to provide short-term goals for the offender to meet. Drug addicts and abusers often have a difficult time staying focused. Short-term goals are developed for individuals to have a better chance of success. As the offender successfully completes a phase, he/she is rewarded by not having to continue in such an intense program.
- **Graduation from the Program** -- The graduation portion of drug court is the final phase of the program, designating the end of the court-ordered participation and the beginning of the continued success of the offender. Graduation is the final reward for the offender and the system.

Program Goals

The primary goal of the Drug Court Program is to maintain public safety while reducing drug abuse. The juvenile justice system exists to protect the law-abiding citizens. The theory behind drug court is that these individuals who have broken the law have done so primarily because of the abuse and/or addiction to drugs. By providing the offender with immediate intervention and extensive treatment opportunities, the court systems can treat the addiction, change the offender's behavior, and reduce crime.

By holistically, expediently, and effectively dealing with the drug addiction and other common problems of these defendants, such as chronic unemployment and serious under-education, we anxiously anticipate success. This program will give the defendant a real chance to deal with his or her substance abuse problem. It **will** stop the criminal justice "revolving door".

DRUG COURT ELIGIBILITY CRITERIA

This is an outline of basic qualifications to enter into Drug Court. The Chief Juvenile officer approves all applicants. All applicants will be referred for screening to Correctional Counseling Incorporated.

QUALIFYING CHARACTERISTICS:

- Applicant is charged with any of the following offenses:
 - Possession or Attempt to Possess a Controlled Substance
 - Fraudulent Prescriptions
 - Possession of Drug Paraphernalia
 - Non-drug, non-violent crime with indication of drug use or addiction
- Applicant admits to drug use or addiction early in the stages of the criminal proceedings.
- Applicant has the support of family and friends.
- Applicant must have or be able to secure reliable transportation to Court and treatment.
- Applicant must be a resident of Mississippi or Scott County.
- If the applicant is charged with an offense, which involves a victim, such as burglary, the victim must agree to the applicant's entry into Drug Court.
- Applicant must be willing to make full restitution to the victims of his or her crime.
- Applicant must be willing to undergo frequent drug testing and must be willing to enter into Drug Court and participate in all treatment and Court programs required by the Drug Court

DISQUALIFYING CHARACTERISTICS:

- Applicant must not be charged with a crime of violence or have a history of convictions for crimes of violence. Crimes of violence include but are not limited to: any degree of murder, voluntary or involuntary manslaughter, any degree of robbery, felony assault, forcible rape or sodomy, and armed criminal action.
- Applicant must not be involved in any significant or substantial drug sales.
- Applicant must not have any probation or parole holds on him or her that would prevent him or her from participating in the program.

- Applicant must not have another pending delinquency case that would deem him or her ineligible for the program.
- Applicant must not have been adjudicated on two or more prior felony offenses.

Should the applicant enter the program, he or she must consent to the allegations against him or her, whether it is a felony or misdemeanor. The applicant must appear in front of the Drug Court Judge on a regular basis to answer for any violations of Drug Court probation and to report success and progress in treatment.

PROGRAM REQUIREMENTS

As a Drug Court Participant, you are expected to do the following:

1. Have reliable transportation to and from Court and the treatment facility
2. Submit to random, frequent drug testing
3. Pay all fines, fees and costs ordered by the Drug Court Judge
4. Make complete restitution to victims if necessary
5. Participate in GED, Vo-Tech or college program as directed by the Drug Court Judge
6. Obtain and keep employment as directed by the Drug Court Judge
7. Refrain from all criminal conduct
8. Attend AA/NA meetings as directed by the treatment provider
9. Attend any training, treatment, or counseling as directed by the treatment provider
10. Maintain regular and frequent with juvenile officer
11. Attend all meetings scheduled by either treatment provider, juvenile officer or Judge
12. Refrain from consuming alcohol or frequenting establishments where alcohol is consumed

THE THREE PHASES OF DRUG COURT

The 33rd Circuit Drug Court Program is divided into three phases. Each participant is required to successfully complete each phase of the program before being promoted to the next phase. Each applicant is required to complete all three phases of treatment in order to graduate from the Drug Court Program. Graduation from Drug Court requires successful completion of all three phases and will result in the applicant's charges being dismissed with prejudice. Below is a list of the requirements for each phase of the Drug Court Program.

Phase I – Screening-Assessment and Evaluation—This period is designed to be completed during a three-week period of time. A “full screen” for all common drugs of abuse will be conducted. During this period, the goal is to assess the client's needs and develop an appropriate treatment plan.

Phase II – Treatment Activities – Phase II lasts approximately 14 weeks and is designed to allow the client to focus his/her attention on learning the skills and techniques of recovery through attending group education/counseling, individual counseling, and support group meetings. To compete Phase II, a client must do the following: a) complete 28 group counseling sessions and 14 individual sessions; b) complete 2 Treatment Planning sessions with the Treatment Team; c) remain drug free for the final 30 days of Phase II (2 urinalyses per week – 28 total); d) Treatment Team recommends advancement to Phase III.

Phase III – Phase III activities are designed to prevent relapses by providing individual relapse prevention counseling and support group meetings. Phase III is approximately 36 weeks in length. To complete Phase III a client must do the following: a) remain drug free throughout Phase III (2 urinalyses per month – 18 total); b) complete all community service restitution hours if applicable; c) complete 36 group counseling sessions and nine individual sessions; d) Treatment Team recommends completion.

33rd Circuit Drug Court Participation Contract

Name _____ Case No. _____

I agree to enter the Drug Court Program, and by doing so I understand I will have certain obligations and responsibilities. I will have to follow the directions given to me by the Judge, Drug Court Administrator, Treatment Team, Juvenile Officer and other treatment providers involved in the program.

Client Responsibilities

My Responsibilities Are:

1. I must always tell the truth
2. I am giving up my right to a preliminary hearing
3. I must attend all court sessions as directed
4. I must maintain my residence in the county I now reside
5. I must follow the treatment plan as directed by Program personnel
6. I must not violate the law, and I understand that if I engage in any delinquent act, I will be returned to Juvenile Court for disposition of the current charges pending against me and prosecuted for the new delinquent conduct
7. I must stay in frequent and regular contact with my Juvenile Officer
8. I must submit to urine testing upon request
9. I understand the program will last for at least twelve months. I also understand the time in the program can be extended or reduced based upon my progress and successful participation
10. I understand I must complete hours of community service, as directed by the Drug Court Judge
11. If restitution is owed, I must pay this amount as ordered by the Court
12. I must pay all fines, fees and costs as ordered by the Court
13. I must pay any charges for detention, if applicable
14. I understand that I must follow the directions given to me, and remain drug-free. If I fail to do so, the Judge may impose sanctions upon me which can include but are not limited to:
 - a. Community Service
 - b. Period of detention in Mississippi County Juvenile Detention Center
 - c. Extra individual counseling sessions
 - d. Extra group counseling sessions
 - e. Extra AA/NA meetings
 - f. Residential Treatment
 - g. Termination from Program
 - h. Period of House Arrest
 - i. Electronic Monitoring
 - j. Increased Drug Testing

CLIENT RIGHTS AND BENEFITS

I understand:

1. That if I successfully complete the Program, the allegations against me will be dismissed and I can never be convicted of those charges
2. That in the event I am returned to Juvenile Court, anything I have said concerning my drug use while in the Program cannot be used against me in Court.

I further understand that if I am terminated from the program, my conduct in the program may be considered by the Juvenile Court Judge at sentencing.

Client Signature

Custodian Signature

Date

Date

IN THE THIRTY-THIRD JUDICIAL CIRCUIT OF MISSOURI
Juvenile Division

IN THE INTEREST OF

Date of Birth:

)
)
)
)
)
)
)

Case No. _____

JUVENILE'S MOTION TO ENTER THE DRUG COURT PROGRAM

The undersigned, _____, moves the Court for admission to the 33rd Circuit Drug Court Program. In support of this motion, the movant has executed a document entitled "33rd Circuit Drug Court Participant Contract" that lists the terms and conditions to which movant agrees, if accepted by the Court for participation in the Drug Court.

Said Drug Court Participant Contract is attached hereto, and incorporated by reference as if fully set out herein.

Dated this _____ day of _____, 2000.

 Juvenile

 Custodian

 Attorney for Juvenile

I hereby certify that on this _____ day of _____, 2000, a true and accurate copy of this document was hand-delivered to the 33rd Circuit Drug Court.

**IN THE THIRTY - THIRD JUDICIAL CIRCUIT OF MISSOURI
JUVENILE DIVISION**

IN THE INTEREST OF:

) **Case Number:** _____

)

)

)

DATE OF BIRTH: _____

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**WAIVER OF COUNSEL, CONSENT TO JURISDICTION,
ENTRY OF APPEARANCE**

Now on this __ day of _____, 2000, comes the juvenile, in person, and the juvenile's custodian, in person, and after first being advised of their rights under the law and, having in mind what is in the best interests of the juvenile, state to the court:

1. The custodian and juvenile hereby waive their right to be represented in this matter by an attorney.

2. The custodian and the juvenile hereby consent to the allegations contained in the petition.

3. The custodian and the juvenile further state to the court that this consent is knowingly given with a full understanding that the court may enter an order of adjudication and make findings of fact solely upon this admission because the allegations contained in the petition are true.

4. The custodian and the juvenile hereby consent to the jurisdiction of the court and ask the court to enter an Interim Order Pending Disposition in this case to allow entry into the Drug Court Program.

Done this __ day of _____, 2000

Signed _____
Juvenile

Parent